

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHELLE SOLOBAY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. [24-cv-04186-KAW](#)

**ORDER LOCKING 7/8/25 FILINGS;
SETTING ORDER TO SHOW CAUSE
HEARING**

Re: Dkt. Nos. 46, 47

On June 30, 2025, the Court issued a third order to show cause, requiring Plaintiff's counsel, Dylan Hackett, to address his numerous errors that have been committed in the course of this action. (Third OSC, Dkt. No. 45.) Such errors include: (1) filing multiple complaints that failed to name all Plaintiffs, failed to identify the correct minor Plaintiff, and/or failed to include facts rather than placeholders; (2) failing to comply with deadlines, including deadlines to serve the complaint and file case management conference statements; and (3) filing documents with the full name of minor N.M.S., in contravention of Federal Rule of Civil Procedure 5.2. (*Id.* at 4.) The Court thus ordered Attorney Hackett to show cause why the case should not be reassigned to a district judge with the recommendation that the case be dismissed for failure to comply with Court orders by explaining how he intended to ensure that a proper complaint is filed. (*Id.* at 5.) The Court also ordered Attorney Hackett to explain why he should not be referred to the Court's Standing Committee on Professional Conduct given the unrelenting errors identified in the order. (*Id.*)

On July 8, 2025, Attorney Hackett filed: (1) a Response to Order to Show Cause re: Failure to Serve Defendant, and (2) Motion to Appoint Guardian Ad Litem for Minor Child. (Dkt. Nos. 46, 47.) The Response to Order to Show Cause appears to be *identical* to the prior June 4, 2025 response, with the exception of the signature date. (*See* Dkt. No. 39.) The Response to the

Order to Show Cause also included a Fourth Amended Complaint as an exhibit; this proposed complaint, however, once again includes minor N.M.S.'s full name and only identifies Plaintiff Michelle Solobay as the plaintiff in the caption. The Court further notes that Attorney Hackett does not request leave to file an amended complaint, nor has he been given leave. Likewise, the Motion to Appoint Guardian Ad Litem also includes minor N.M.S.'s full name. It further refers to "Civil Local Rule 17-1," which the Court had previously pointed out does not exist. (*See* Third OSC at 4.)

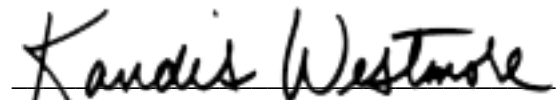
Because the Response to Order to Show Cause and Motion to Appoint Guardian Ad Litem contain a minor's identifying information, the Court once again ORDERS the Clerk of the Court to lock these documents. The Court notes that it has repeatedly informed Attorney Hackett that filings are not to include a minor's full name, as required by Federal Rule of Civil Procedure 5.2. (*See* Dkt. No. 36 at 2; Third OSC at 3-4.) Attorney Hackett, however, has continued to waste the Court's judicial resources by requiring the Court to issue orders to lock these documents to protect his client's privacy rights.

In light of these most recent filings, the Court SETS a hearing on the third order to show cause for **August 7, 2025** at 1:30 p.m. Attorney Hackett is ORDERED to personally appear at the hearing. In the meantime, the July 11, 2025 deadline to respond to the third order to show cause remains in place. Given the July 8, 2025 filing did not address all of the issues identified in the OSC, Attorney Hackett must file a proper and complete response by **July 11, 2025** that addresses how he intends to competently prosecute the case, given Attorney Hackett's repeated errors requiring judicial intervention. **It is insufficient to blame the lack of administrative oversight and staffing interruptions** that were resolved months ago.

Attorney Hackett shall serve a copy of this order and the June 30, 2025 third order to show cause on his client, and file a proof of service within **seven days** of the date of this order.

IT IS SO ORDERED.

Dated: July 9, 2025


KANDIS A. WESTMORE
United States Magistrate Judge